

REGULAR CITY COUNCIL MEETING
OCTOBER 28, 2002

PRESENT

Gayle Bunker
Wesley Bloomfield
Bruce Curtis
Robert Droubay
Margaret Dutson
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

ALSO PRESENT

Richard Waddingham
Gregory Jay Schafer
Alan Riding
Ken Clark
Judy Baker
Deborah Greathouse
Cindy Greathouse
Dee Greathouse
Jane Beckwith
Josie Winn
Annie Hatch
Rick Archibald
Craig Greathouse
Tess Greathouse
Tyler Greathouse
Phil Sabey
Grant Nielson
Gerry Ogden
Susan B. Dutson
Chasity Dutson
Sandi G. Ables
Sheri & Steve McKendrick
Dana Pollard
Karen & Jesse Johnson
Brent Berkley

City Attorney
City Recorder
Public Works Director
Asst. Public Works Director
City Treasurer
City Librarian
Area Resident
Area Resident
City Resident

Utah Humanities Council
Zions Bank
City Resident
City Resident
City Resident
City Resident
City Resident
City Resident
Millard County Chronicle/Progress
Area Resident
City Resident
Utah Municipal Clerks Association
Utah Municipal Clerks Association
Area Residents
Planning & Zoning Commission

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place and agenda had been posted at the City Building and had been provided to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council at least two days prior to the meeting. City Recorder Gregory Jay Schafer acted as secretary.

Council Member Glen Swalberg offered an invocation after which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held September 23, 2002 were presented for consideration and approval. Following review, Council Member Wesley Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held September 23, 2002, as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review and discussion, Council Member Glen Swalberg MOVED to approve the accounts payable, dated October 28, 2002, in the amount of \$228,306.76. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

ANNE HATCH, UTAH HUMANITIES COUNCIL: PRESENTATION OF MAYOR'S 2002 AWARD IN THE HUMANITIES TO DEB GREATHOUSE, DELTA CITY LIBRARIAN

Anne Hatch, representing Utah Humanities Council, thanked the Council for the opportunity to present the 2002 Mayor's Award in the Humanities to Delta City Librarian, Deb Greathouse. Ms. Hatch advised the Council that the award is sponsored by the Utah Humanities Council, in conjunction with Zions Bank. Prior to presenting the certificate of award, Ms. Hatch read a few comments from the letter of nomination which Mayor Bunker submitted in recommending Ms. Greathouse for this award. Ms. Hatch noted that Ms. Greathouse exemplifies the role of the award,

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which is to recognize individuals who have done an exceptional job of promoting the humanities in their own community. Her nomination read, in part, "...under Deb's leadership, the Delta City Library has become a community asset. . . is a modern, up to date information center, a quiet retreat, a family outing destination and a favorite place for many Delta area residents." Ms. Hatch thanked Ms. Greathouse for making the library play such a significant role in the community and presented her with the 2002 Mayors Award in the Humanities. Ms. Hatch also thanked Rick Archibald, manager of the local Zions Bank branch for being in attendance to assist in making the award. The support of Zions Bank has made it possible for the Utah Humanities Council to host an evening event to honor all the mayors and award winners from across the state.

Ms. Greathouse thanked the Mayor and Council and stated that it would not be possible for her to receive this award without the support and assistance of the Mayor and Council. The Council expressed appreciation to Deb for her work and efforts in the library, as well as the efforts of the library staff. Council Member Wesley Bloomfield noted that Ms. Greathouse obtains grants on an annual basis to assist in improving the library.

MAYOR GAYLE BUNKER: PRESENTATION OF MUNICIPAL CLERK CERTIFICATION TO KAREN JOHNSON

Sheri McKendrick, President of the Utah Municipal Clerks Association and City Recorder for West Valley City, thanked the Mayor and Council for the opportunity to take a few minutes to make the presentation of the Certified Municipal Clerk designation to Assistant Recorder Karen Johnson. Following a short explanation of certification requirements, Ms. McKendrick presented the Certified Municipal Clerk certificate and pin to Mrs. Johnson. In addition, Ms. McKendrick thanked the Mayor and Council for their support and assistance given in attaining this achievement.

Mrs. Johnson thanked the Mayor and Council for their support in allowing her to attend the hours of training necessary to achieve the Certified Municipal Clerk status.

Mayor Bunker noted that there are approximately seventy Certified Municipal Clerks in the State of Utah and Delta City has two of them. Mayor Bunker expressed his appreciation to all Delta City employees for their willingness to learn and increase their knowledge of the jobs they are assigned.

COUNCIL MEMBER ROBERT DROUBAY: PENDRAY ESTATES SUBDIVISION PLAT "P", FINAL PLAT

Council Member Robert Droubay advised the Council that the Planning & Zoning Commission had met and discussed Pendray Estates Subdivision Plat "P" and recommended that the plat be approved, as presented. Council Member Robert Droubay MOVED to approve the final plat for Pendray Estates Subdivision, Plat "P". The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER ROBERT DROUBAY: PROPOSED ZONE CHANGE FROM MULTIPLE FAMILY RESIDENTIAL (R-4) TO CENTRAL BUSINESS (CB) ON PROPERTY LOCATED AT APPROXIMATELY 98 WEST MAIN STREET

Council Member Robert Droubay stated that a public hearing had been held, prior to this meeting, for the purpose of receiving public comment regarding this proposed zone change, with no negative comment being received. The property involved was previously zoned Central Business (CB) and this change would return the property to its former zone classification.

City Attorney Richard Waddingham noted that he had provided the following ordinance:

ORDINANCE NO. 02-203

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY FROM MULTIPLE FAMILY RESIDENTIAL (R-4) TO CENTRAL BUSINESS (CB) FOR PROPERTY LOCATED AT APPROXIMATELY 98 WEST MAIN STREET.

Council Member Robert Droubay MOVED to approve Ordinance No. 02-203 an ordinance amending the zone district boundaries to reclassify certain property from Multiple Family Residential (R-4) to Central Business (CB) for property located at approximately 98 West Main Street. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Bruce Curtis	Yes
Robert Droubay	Yes
Margaret Dutson	Yes
Glen Swalberg	Yes

The motion passed unanimously.

COUNCIL MEMBER GLEN SWALBERG: LIBRARY BOARD - CORRECTION OF TERM OF APPOINTMENT

Council Member Glen Swalberg advised the Council that the following Library Board members will be assigned the term ending dates as follows:

Rhonda Pace	June, 2005
Lamar Stephenson	June, 2004
Roseann Young	June, 2005

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Brent Berkley
Bonnie Shamo
Jason Comarek

June, 2003
June, 2004
June, 2003

Mayor Bunker noted that, when the most recent Library Board Members were appointed, they were appointed for five year terms but it was later learned that members should be appointed for three year terms; this correction will set forth correct termination dates for all board members. Council Member Glen Swalberg MOVED to accept the new term expiration dates for Library Board Members as presented. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: REQUEST FOR THREE-WAY "STOP" ON 450 NORTH STREET

Public Works Director Alan Riding advised the Council that they had each received a copy of a letter which had been received from Millard School District requesting that a three-way "stop" be provided at the intersection of 450 North Street at 100 East. Mayor Bunker noted that he travels that intersection frequently and it is a dangerous intersection due to the location of a fence on the west side and the school bus barn on the east side of the street, making it very difficult to see oncoming traffic. Public Works Director Riding advised the Council that he has discussed the matter with the Millard County Sheriff's Department, who also recommended that a three-way "stop" be placed at the intersection of 450 North Street and 100 East Street.

City Attorney Richard Waddingham recommended that an ordinance be enacted requiring placement of a three-way "stop" at the intersection of 450 North Street at 100 East Street. Council Member Wesley Bloomfield MOVED to direct City Attorney Richard Waddingham to prepare an ordinance requiring a three-way "stop" at the intersection of 450 North Street at 100 East Street for approval at the next meeting of the City Council. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: REQUEST FOR EXTENSION OF 450 NORTH STREET

Public Works Director Alan Riding directed the attention of the Council to a second letter which had been received from Millard School District requesting the extension of 450 North Street. The school district is proposing that they pay the cost of extending the sewer main, storm drain, curb, gutter and sidewalk and that Delta City provide asphalt for the extension of the road. Mayor Bunker mentioned that, if the sewer main is extended, some of the other homes in that area could be hooked into the Delta City sewer system, rather than using their septic systems, which are in the proximity of Delta City wells.

Following discussion, Council Member Wesley Bloomfield MOVED to approve the request from Millard School District to make road improvements on 450 North Street, between 100 East and 100 West, as presented, including extension of the sewer, storm drain, curb, gutter and sidewalk by Millard School District and Delta City paving from the existing road pavement to the new curb. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: APPOINTMENT OF ALTERNATE MEMBERS TO REPRESENT DELTA CITY ON WEST MILLARD WATER AGENCY BOARD

Mayor Bunker suggested that Council Member Robert Droubay, Public Works Director Alan Riding and Assistant Public Works Director Ken Clark be appointed as alternate members to represent Delta City on the West Millard Water Agency Board. Council Member Glen Swalberg MOVED to appoint Council Member Robert Droubay, Public Works Director Alan Riding and Assistant Public Works Director Ken Clark as alternate members to represent Delta City on the West Millard Water Agency Board. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: REQUEST FOR PURCHASE OF SNOW PLOW FOR ONE TON FORD TRUCK

Public Works Director Alan Riding reported that the fiscal year 2002-2003 budget allowed \$4,000 for purchase of a snow plow for the one ton Ford truck. Public Works Director Riding requested approval of the Council to purchase the snow plow from a state contract supplier, Tesco Williamson, at a price of approximately \$3,400. Two smaller trucks could then be used for removing snow in subdivisions and on smaller streets.

Council Member Wesley Bloomfield MOVED to approve purchase of a snow plow from Tesco Williamson at a price of \$3,400, to be used on the one ton Ford truck. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: REQUEST FOR GAS FURNACE UPGRADES FOR CITY PARK RESTROOM AND AIRPORT

Assistant Public Works Director Ken Clark advised the Council that they had copies of the bids received for replacement of the furnaces in both the City Park restrooms and the airport. Bids were requested from three local contractors and two bids were received. It was requested that the projects be bid separately. Asst. Public Works Director Clark noted that the bids were very close and suggested that the low bid for each project be accepted, thus giving one project to each contractor

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who made bids.

Council Member Wesley Bloomfield MOVED to approve the bid from ADC Plumbing & Heating for replacement of the City Park restroom furnace, at a price of \$2,070.80, and approve the bid from Anderson Heating, Air Conditioning & Refrigeration for replacement of the furnace at the airport, at a price of \$1,735. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER MARGARET DUTSON: LIGHT PARADE AND SANTA SCHEDULE

Council Member Margaret Dutson proposed that we have Santa Claus visit with children at the City Building for a short period of time during the day, perhaps 11:00 a.m. to 12:30 p.m., on the same day as the Light Parade. This is proposed in order to alleviate some of the long lines waiting to visit with Santa Claus at the Fair Building following the parade. Council Member Dutson surveyed a number of individuals who felt that it would be a good idea to offer an alternative to parents who are unhappy with the long wait at the Fair Building.

Mayor Bunker noted that he had questioned Chamber of Commerce members last month and there were a number of individuals who were also in favor of having Santa Claus at the City Building during the day. Council Member Dutson has also talked with the Delta Area Youth Council leader who stated that Youth Council members would be available to help both at the City Building and at the Fair Building. There would be no refreshments served at the City Building other than the bags of candy which are distributed to the children by Santa Claus.

Council Member Margaret Dutson MOVED to have Santa Claus visit with children at the City Building from 11:00 a.m. to 12:30 p.m. on Saturday, November 30, 2002 and to also visit with children at the Fair Building following the parade that evening. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: PROPOSED REVISION TO WATER RATE RESOLUTION

Public Works Director Alan Riding advised the Council that we are currently sending out sixty to seventy certified mail letters each month, and thirty to forty door hangers for delinquent utility accounts. This involves as much as three to four hours to physically distribute door hangers each month. Some cities are initiating a service charge for each time an employee is required to distribute a door hanger, with an additional fee for successive months that a door hanger is required. The Public Works Department would like input from the Council as to the possibility of initiating a fee for delinquent utility customers which require special services.

The Public Works Department also requested input from Council Members as to new account deposits. At present, individuals who are purchasing the residence where they request service are not required to make a deposit in order to have water and sewer service connected, while individuals who are renting are required to post a \$100 deposit. The deposit is held for a period of 12 months of timely payment, then refunded. There is currently no requirement for verification prior to waiving the deposit for individuals purchasing the residence. Also, there is currently no requirement for check of references or previous utility payment history.

Public Works Director Riding requested approval to amend the current application for water and sewer service and to increase the deposit amount to \$150. In addition, Public Works Director Riding advised the Council that, in order to ascertain all of the various fees for use of the water and sewer systems, it is necessary to look through approximately six amendments to the original resolution adopted in 1984. He requested approval to have City Attorney Waddingham write a new resolution including all fees involved in use of the water and sewer systems.

Public Works Director Riding noted that this matter is on the agenda for discussion only and requested that Council Members review the information supplied to them and be prepared to offer suggestions at the next meeting of the City Council. There was discussion as to whether drilling of new private wells within 300 feet of the water system could be prohibited. City Attorney Waddingham will research that question and advise the Council prior to drafting a new resolution. Council Members will discuss this matter further at the next meeting.

COUNCIL MEMBER ROBERT DROUBAY: APPOINTMENT OF CHAIRMAN AND MEMBER TO PLANNING & ZONING COMMISSION

Mayor Bunker reminded the Council that Planning & Zoning Commission Chairman Phil Sabey is moving outside the Delta City limits and needs to be replaced. Council Member Robert Droubay suggested that Planning & Zoning Commission Member Brent Berkley be appointed as Chairman of the Planning & Zoning Commission and that Vance Bishop be appointed as Commission Member to fill the vacancy created by the resignation of Commission Member Phil Sabey. Council Member Robert Droubay MOVED to appoint Brent Berkley as Chairman of the Planning & Zoning Commission and to appoint Vance Bishop as a Commission Member to fulfil the term vacated by Commission Member Phil Sabey and that those appointments take effect immediately. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER ROBERT DROUBAY: REQUEST FOR APPROVAL TO ATTEND ECONOMIC DEVELOPMENT CONFERENCE

Council Member Robert Droubay advised the Council that he, Council Member Bruce Curtis and Council Member Glen Swalberg had discussed the possibility of attending an economic development

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conference. However, they have received information for several conferences but did not receive the information in time to choose and plan which conference would be most beneficial. For that reason, Council Member Droubay requested that his request for approval to attend an economic development conference be withdrawn at this time in order to allow time to discuss and determine what conferences or seminars would be most beneficial.

Council Member Robert Droubay MOVED to withdraw the request for approval to attend an economic development conference. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Public Works Director Alan Riding advised the Council regarding the recent problem with the water system which is being treated by adding chlorine to the system for 30 - 45 days. He reported that two of four water samples tested positive for coliform bacteria, a natural bacteria which assists in digestion and is not dangerous. It is, however, used as an indicator that other bacteria may be present. The samples in question did not develop other bacteria but, when a positive test is shown, it is required that a letter be sent to water users and that a notice be published in the local newspaper. In addition, it is required that action be taken to prevent any potential problem. These steps have been taken.

Council Member Wesley Bloomfield asked Public Works Director Alan Riding and Assistant Public Works Director Ken Clark how the arsenic bacteria tests were working. Public Works Director Riding advised the Council that the initial testing was encouraging, removing the arsenic to non-detectable status. At present, a company is writing a draft proposal to develop a charcoal filtration system to remove the odor from the water. It is expected that they will return in two to three weeks with the filtration system.

Council Member Bloomfield reported that he had been approached by several individuals who are concerned with the possibility of Delta City subsidizing water systems for other communities involved in the West Millard Water Agency. Council Member Bloomfield noted that there is some misinformation in the community regarding the possibility of Delta City supporting some other area water distribution systems. Council Members were adamant that Delta City make certain that every entity pay the costs of their own systems and that Delta City pay only its share of costs.

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Council Member Wesley Bloomfield questioned whether the Council would be interested in considering changing their meetings to some other evening in the week other than Monday. He noted that there is currently a state wide effort to consider leaving Monday evenings free from meetings and activities. There was discussion regarding changing the meeting schedule to Thursday evenings. Mayor Bunker noted that there are a number of Monday holidays which precludes holding meetings on those evenings. There are fewer holidays which would interfere with meetings scheduled on Thursday evenings. Mayor Bunker suggested that Council Members think about the possibility of changing the City Council meeting schedule.

Council Member Glen Swalberg asked Public Works Director Alan Riding if it would be possible to move the roofing material located in the parking lot in front of the City Building to the City Shop prior to the elections being held on Tuesday, November 5th. The materials take up a number of parking spaces and create a hazard for those parking at the curb and walking across the parking lot to the building. Public Works Director Riding stated that the materials will be moved as soon as the Public Works employees complete reading water meters. The roofing contractor is scheduled to be here this week to begin installing the roofing material on the City Building.

Council Member Margaret Dutson referenced the "Walkability Checklist" which Council Members received in their meeting packet. She explained that Delta South Elementary School held a "Walk to School Day," encouraging parents to walk to school with their children, after which they distributed a questionnaire for parents to complete indicating their experience. The "Walkability Checklist" shows the results of those questionnaires, indicating areas which parents found difficult to negotiate and the reasons for their response, many of which indicate difficulty negotiating sidewalks due to blocked, damaged or non-existing sidewalks. Council Member Dutson asked if it would be possible to have a list of projects which are scheduled. Public Works Director Riding stated that he had been thinking about preparing a list of projects for Council Members information.

Mayor Bunker asked for direction from the Council with a concern he has about one of the school crossing guards who is tending children at the same time she is performing her crossing guard duties. Some individuals are dropping off their children for her to tend while she is engaged in her crossing guard duties. Mayor Bunker felt that this is a hazardous situation and that the guard should either be caring for the other children or performing her crossing guard duties, but not both at the same time. The Council concurred with Mayor Bunker's feeling that the crossing guard should be instructed that she should not be caring for other individuals' children while performing her crossing guard duties.

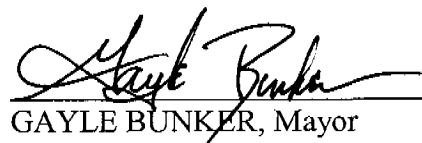
Mayor Bunker stated that he and Mayor Starley, of Fillmore City, had met with the Millard County Commission last week regarding a request for relief from the amount charged for the law enforcement contract. He reported that, at that meeting, Sheriff Phillips had outlined the costs of law enforcement for Delta and Fillmore which, for Delta, amounts to a cost of \$342,000; our current law enforcement contract amount is \$218,000. Based on the population of Delta City (3,209), law enforcement costs \$106 per resident, per year, and we are currently paying \$68 per resident, per year. Mayor Bunker reviewed some other figures with Millard County Commissioners dealing with county population and budget figures, which showed that Delta City is actually paying approximately \$203 per capita for law enforcement.

Following discussion of all the facts and figures, Mayor Bunker felt that the Commissioners were willing to allow a break on the law enforcement contract costs and was advised that Millard County would contact him when they have had a chance to review budget figures for the coming year.

Public Works Director Alan Riding advised the Council that the airport improvement project is now approximately 90% completed. The runway seal coating has been completed and the first coat of paint has been applied. The concrete has been poured and the contractor is waiting for the new light pads and bases.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Glen Swalberg MOVED to adjourn the meeting. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 8:50 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, CMC, City Recorder

MINUTES APPROVED: SCCM 11-18-02

